

## **REMARKS**

### **I. Status of Claims**

Claims 1-78 were originally filed in the application. In a first office action, claims 1, 2, 8-12, 19-20, 21-23, 29-32, 38-39, 40-41, 47-51, 57-58, 70-71, 59-61, 67-68 and 77-78 stood rejected under 35 U.S.C. §102(e) as being anticipated by Anderson, Jr. et al (US Patent No. 6,578,203). Claims 3-7, 14-18, 24-28, 33-36, 42-45, 52-56, 62-66 and 72-75 stood rejected under 35 U.S.C. §103(a) as being unpatentable over Anderson, Jr. et al. (US Patent No. 6,578,203) in view of Narayanaswami (US Patent No. 6,657,654). In response to the first office action, claims 6, 13, 15, 17/ 23, 25-27, 32-68, 71, and 73-78 were cancelled, and claims 1-5, 7, 9, 10-12, 14, 16, 18-19, 21-22, 24, 28-29, 31, 70 and 72 were amended to place them in better form for allowance. The prior art of record cited against the independent claims was distinguished.

In a second office action dated November 17, 2005, made final, which is the subject of this amendment and response, and request for reconsideration, claims 1-5, 7-12, 14, 16, 18-22, 24, 28-31, 70 and 72 were rejected. Applicant has amended claims 1-3, 5, 7 and 8, and cancelled claim 4. Claims 1-3, 5, 7-12, 14, 16, 18-22, 24, 28-31, 69-70, and 72 remain pending in the case. Applicants respectfully request reconsideration of the remaining, pending claims.

### **II. Summary of Applicants' Claimed Invention**

The Applicants' invention is used in the field of "entertainment". The claimed invention is for methods and systems that enable the capture of live venue-based data including simultaneously viewable video images for RF transmission to hand held devices and that enable simultaneous, real-time viewing/display of video images on displays associated with hand held devices. The key feature of Appellants' invention is *simultaneous viewing of more than one video image captured by cameras at an entertainment venue on a single display associated with hand held devices*. Another feature is in the ability for users to use a hand held device to view in-play

camera views received at an entertainment venue together with other simultaneously transmitted video signals.

Aspects of the invention as claimed and explicitly defined in the specification enables the capturing of video images from more than one perspective of a venue-based activity using more than one video camera and processing of the video images into venue-based data formatted for wireless transmission via a wireless communications for display at the venue by more than one hand held device including a display screen and adapted for simultaneously viewing of more than one perspective of venue-based data captured by more than one video camera. FIG. 5 of Appellants' specification is shown below to illustrate a typical scenario wherein a hand held device 60 is able to display images captured at a sports venue by cameras  $C_1$ ,  $C_2$ ,  $C_3$  and  $C_4$ . The images are wirelessly received through a wireless data transmitter/receiver 110. A server 100 is shown as receiving captured images as data ( $D_1$ ,  $D_2$ ,  $D_3$  and  $D_4$ ) in order to format the data for display at on a display screen 61 provided as part of the hand held device 60.

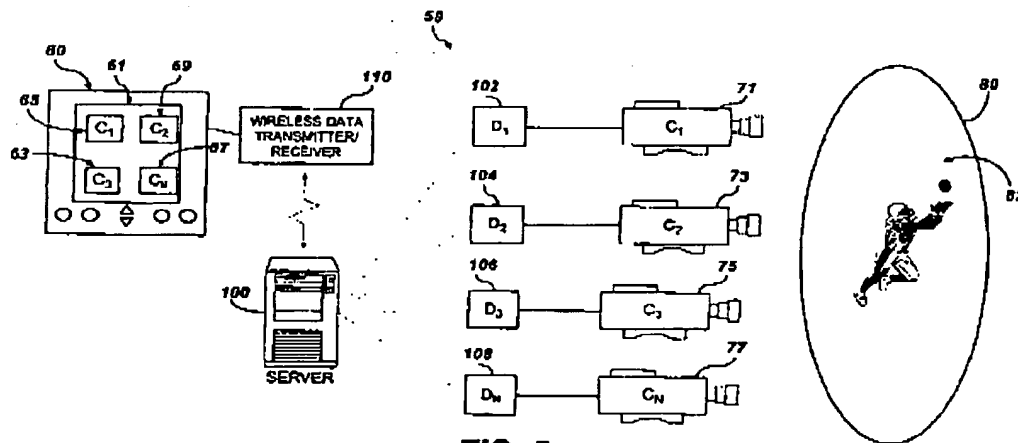
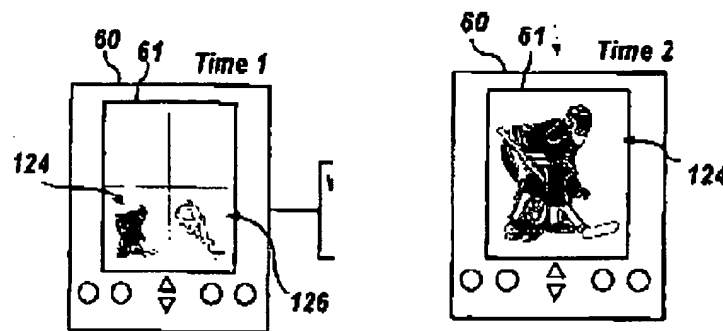


FIG. 5

Aspects of the invention as claimed and explicitly defined in the specification also provides that data displayed on the hand held device can include simultaneous video ( $C_1 - C_N$ ) captured by cameras at a venue, instant replay video data, promotional information, and advertising information.

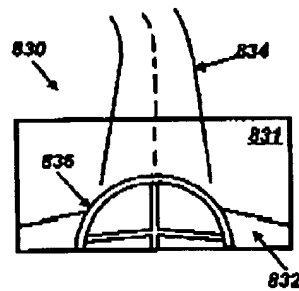
Aspects of the invention as claimed and explicitly defined in the specification also provides that a user can have a hand held device display a single video perspective on the display screen following a user selection of the single video perspective at the user interface displaying the processed data including simultaneous video images 124 and 126 on the display screen 61 as shown below in the examples of Time 1 and Time 2 taken from FIG. 7 of Appellants' specification, in response to user input through a user interface 61 (e.g., touch sensitive-enabled display) associated with the hand held device 60.



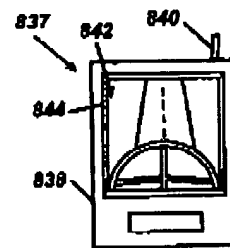
The above aspects of Applicants' invention as shown in Figures 5 and 7, were originally disclosed in U.S. Provisional Application Ser. No. 60/243,561, filed Oct. 26, 2000 by Luis M. Ortiz and Kermit D. Lopez, for "Providing Multiple Perspectives for a Venue Activity through an Electronic Hand Held Device", which was later filed as non-provisional patent application 09/902348 (published application US 20020063799 A1).

Aspects of the invention as claimed and explicitly defined in the present patent application specification added a new improvement to the above application in that the hand held devices 58 be adapted for use to select at least one in-play camera view from more than one in-play camera view being simultaneously displayed on the display integrated with the hand held device. In-play camera views can be obtained from, for example, the inside of a race car as

depicted in FIGS. 23 and 24 of Applicants' specification, copied below for illustration. FIG. 23 shows the perspective 831 that can be captured by a camera from inside the race car, while FIG. 24 illustrates presentation of the captured view 831 at a display area 844 associated with a hand held device 838.



**FIG. 23**



**FIG. 24**

Aspects of the present invention as claimed and explicitly defined in the specification provides that hand held devices receiving venue-based in-play camera data can process data representing more than one visual perspective at a time for simultaneous display on a display screens associated with the hand held devices, thereby enabling users of the at least one hand held device to select one visual perspective for viewing from the more than one perspective simultaneously displayed on the hand held device as described above with respect to FIG. 7.

Hand held devices used in the invention as claimed and explicitly defined in the specification can include PDAs, hand held televisions and data-enabled wireless telephones having an integrated display screen.

Cameras used in the invention as claimed and explicitly defined in the specification can include wide-angle, wireless and fixed cameras.

Communications between cameras and hand held devices as claimed and explicitly defined in the specification can includes use of public or private, secured or non-secured wireless

equipment (e.g., servers, gateways, transmitters) and communications networks (e.g., wireless LAN, CDMA, GSM) as described with respect to FIG. 10 in the application.

### III. Summary of Cited References

The Examiner acknowledges in the office action that patent references Anderson, Jr. et al (US Patent No. 6,578,203) alone or in view of Narayanaswami (US Patent No. 6,657,654) does not teach the display of more than one in-play camera view on a hand held device.

Anderson and Narayanaswami were summarized in Applicants' prior response. Applicants believe a summary of Anderson and Narayanaswami will be useful to understanding the distinctions between them and Applicants' claimed invention. The Anderson and Narayanaswami references are summarized and distinguishable from Applicants' claimed invention as follows:

Two key distinctions of Anderson et al with Applicants' invention are found directly in the Anderson et al reference. First, Anderson is not operated as a "hand held device", and the device described in the Anderson reference is specifically referred to and taught as being a "head mounted display." In fact, the Anderson reference is entitled "audio/video signal distribution system for Head Mounted displays." FIG. 4 copied from Anderson shows the device 104 as being a "Head Mounted Display." Second, Anderson does not teach, nor can it reasonably expect to achieve with its head mounted display form factor, the real-time, *simultaneous* viewing of video captured from more than one camera at an entertainment venue.

Narayanaswami is distinguishable from Applicants' invention as claimed because Narayanaswami teaches a hand held device useful to record video; but Narayanaswami does not teach or suggest the ability to simultaneously view more than one in-play perspective capture by more than one remote video camera at a live entertainment venue. The Narayanaswami could be useful, for example, in the field of investigative journalism because it may enable a journalist to record notes and capture video of an interviewed subject simultaneously. Nevertheless, Mann independently fails as a reference against applicants' claims for the following reasons.

Examiner now cites to Lu (US Patent Publication 2003/0041334) for the teaching of the simultaneous display of more than one in-play camera view as preferred in order to allow a user to easily select a program of interest. The Lu references can be overcome by Applicants' priority to simultaneous display of entertainment venue video as described in US patent application US 20020063799 A1, as is described below and declared to by Applicants (see attached declaration).

**IV. Rejection under 35 U.S.C. §102 as Anticipated by Anderson et al.**

Claims 1, 2, and 8-9 stand rejected under 35 U.S.C. 102(e) as being anticipated by Anderson Jr. et al (US Patent 6,578,203). Examiner indicates in his response to Applicants' prior arguments that the limitation of "viewing of simultaneous video on a hand held devices" is not claimed. Examiner acknowledges that Anderson does not teach simultaneous display of video on a hand held device. Applicants have therefore amended claim 1 to properly include the limitation as indirectly suggested by Examiner.

With the present clarifying amendment of Claim 1, Anderson does not teach each and every element of Applicants' invention. Claim 1 now provides the following:

1. A method for transmitting venue-based in-play camera views for simultaneous display at a hand held device, said method comprising the steps of:

simultaneously transmitting more than one video signal captured by more than one video camera located at an entertainment venue said more than one video signal including at least one in-play camera view from at least one in-play camera located at an in-play location within the entertainment venue;

processing said more than one video signal for simultaneous display as at least two camera views on a display associated with a hand held device; and

simultaneously displaying said at least two camera views on said display.

Anderson does not teach a "hand held device" as claimed in independent claims 1. Dependent claims 2 and 8-9 depend from claim 1 and are allowable based its lack of anticipation by Anderson. Anderson does not teach "simultaneously transmission, receipt, processing and simultaneous display of in-play camera views.

Applicants believe their amendment to claim 1 clarifies its intended scope. Applicants respectfully request reconsideration of the claims 1, 2 and 8-9.

**V. Rejection of claim 3-4 and 7 under 35 U.S.C §103 as being unpatentable over Anderson et al. in view of Narayanaswami**

One skilled in the art would not be motivated after reading Anderson and/or Narayanaswami to provide methods enabling simultaneous viewing of more than one video image captured by cameras at an entertainment venue on a single display associated with hand held devices. One skilled in the art would not be motivated after reading Anderson and/or Narayanaswami to provide a hand held device including a display adapted to view in-play camera views received at an entertainment venue together with other simultaneously transmitted video signals. The amendment to Claim 1 makes clear its distinction from the art of Anderson and Narayanaswami, especially given the examiner's acknowledgement that Anderson does not teach simultaneous display of video on a hand held device..

Applicants' believe the rejection of claims 3-4 and 7 has been overcome, especially in light of clarifying amendments provided to claim 1 herein. Applicants, therefore, respectfully request reconsideration of the rejected claims and early issuance of their patent.

**VI. Rejection of claim 10-12, 18-22, 29-30, 31, 70 and 72 under 35 U.S.C. §103 as being unpatentable over Anderson et al. in view of Lu; and the rejection of claims 14, 16, 24 and 28 under 35 U.S.C §103 as being unpatentable over Anderson et al. in view of Lu and further in view of Narayanaswami.**

As discussed in the Second Office Action by the examiner, "the Anderson device lacks the use of simultaneous displaying more than one in-play camera view." Lu (US publication

2003/0041334) is cited for its teaching that “the simultaneous display of more than none in-play camera view is preferred in order to allow the user to easily select a program of interest.”

Lu can be distinguished because the view taught therein are channels of video programs simultaneously displayed for selection by a user. The programs are not described as live video from in-play cameras at a live entertainment venue. Nevertheless, Lu is not qualified as a reference against Applicants' invention because Applicants' invented the concept of simultaneous display of live venue camera views or signals on a hand held device before the teaching by Lu.

Applicants conceived of the subject matter of *simultaneous viewing of more than one video image captured by cameras at an entertainment venue on a single display associated with hand held devices* to the extent this novel concept is claimed in claims 1-3, 5, 7-12, 14, 16, 18-22, 24, 28-31, 69-70, and 72.

Applicants submit herewith a declaration from Luis M. Ortiz (hereinafter referred to as the “Ortiz declaration”) to antedate the effective date of August 23, 2001 of the Lu reference, in accordance with 37 C.F.R. §1.131(a). The Ortiz declaration is accompanied by Exhibit A forming part thereof that evidences both conception of the invention prior to the effective date of August 23, 2001 of the Lu reference and due diligence from at least as early as October 26, 2000 to the filing of the above-captioned application on December 12, 2001.

Exhibit A of the Ortiz declaration is a photocopy of U.S. published patent application 2002/0063799 establishing constructive reduction to practice of the key element of the invention (*simultaneous viewing of more than one video image captured by cameras at an entertainment venue on a single display associated with hand held devices*) prior to the effective date of August 23, 2001 of the Lu reference.

Therefore, given the Ortiz declaration and Exhibit A, important subject matter of claims 10-12, 14, 16, 18-22, 24, 28-30, 31, 70 and 72, that distinguishes Applicants claimed invention over the cited art, was conceived and reduced to practice via patent filing prior to August 23, 2001. Therefore, Lu cannot be used to obviate claims 10-12, 14, 16, 18-22, 24, 28-30, 31, 70 and 72 with respect to teaching *simultaneous viewing of more than one video image captured by*

*cameras at an entertainment venue on a single display associated with hand held devices, and*  
Applicants now respectfully request that the rejection be withdrawn.

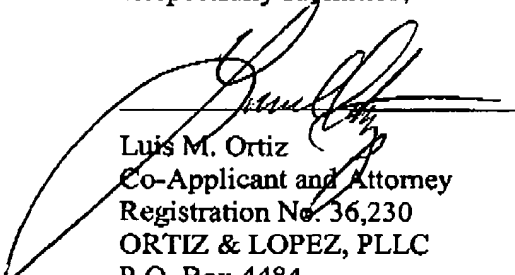
#### **VII. Conclusion**

Applicants have responded to each and every rejection of the Official Action. Applicants submit that the above amendment and remarks place the pending claims in a condition for allowance. Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. §102 and under 35 U.S.C. §103 based on the amendments and remarks. Reconsideration and early allowance of Applicants' application is also respectfully solicited.

The Examiner is respectfully requested to contact the undersigned representative to conduct an interview in an effort to expedite prosecution in connection with the present application should there be any outstanding matters that need to be resolved in the present application.

Respectfully submitted,

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